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TONY R. MOORE, CLERK  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

**HERSHEL DALE TERRO**

: DOCKET NO. 2:08-CV-1477

**VS.**

: JUDGE TRIMBLE

**TONY MANCUSO, ET AL.**

: MAGISTRATE JUDGE KAY

**JUDGMENT**

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly, it is

**IT IS ORDERED** that plaintiff's action be **DISMISSED WITH PREJUDICE** for his failure to comply with discovery and as a consequence of his failure to prosecute this action.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 1<sup>st</sup> day of

October, 2009.

*[Signature]*  
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JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE